

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

Thursday, August 9, 2018

MINUTES OF PROCEEDINGS IN Open Court

PRESENT: THE HONORABLE Rebecca Beach Smith, CUSDJ, and

Douglas E. Miller, USMJ

Deputy Clerk: S. Cherry

Reporter: Jody Stewart, OCR

Set: 2:00 p.m.	Started: 2:00 p.m.	Ended: 4:40 p.m.
2:18md2836 In re: Zetia (Ezetimibe) Antitrust Litigation		
Matter came on for Initial Status Conference.		
Introduction to the court of counsel and parties (See attached for names of counsel present for the hearing).		
Comments of EPP counsel heard re appointment of lead counsel.		
Comments of court and counsel heard re each item noted on the agenda (Attachment B in Pretrial Order No. 1).		
Hearing scheduled before Magistrate Judge Miller on August 23, 2018, at 2:00 p.m., on the Motion to Dismiss or Stay, etc. in the following cases: 2:18cv23, ECF No. 92; 2:18cv39, ECF No. 69; 2:18cv71, ECF No. 80.		
Counsel for Merck Defendants shall file a partially unredacted version of their Memorandum in Support re Motion to Dismiss or Stay, etc. no later than August 13, 2018.		
Court to prepare Order.		
Court adjourned.		
DPP Plaintiffs' Exhibit: #1 - Comparison Table re Competing Pretrial Schedule Proposals		

Plaintiffs:

FWK Holdings, LLC (DPP)
Cesar Castillo, Inc. (DPP)
Rochester Drug Cooperative, Inc. (DPP)
Local Counsel: William Monroe, Glasser & Glasser
Nominated Counsel: Thomas M. Sobol; Kristen A. Johnson, Hagens
Berman Sobol Shapiro, LLP

Walgreen Co. (Retailer)
The Kroger Co. (Retailer)
Albertsons Companies, Inc. (Retailer)
HEB Grocery Company L.P. (Retailer)
Local Counsel: Craig Reilly
Nominated Counsel: Scott E. Perwin, Kenny Nachwalter P.A.

Rite Aid
Local Counsel: Craig Reilly
Nominated Counsel: Eric Bloom, Hangley Aronchick Segal Pudlin &
Schiller

City of Providence, Rhode Island (EPP)
Painters District Council No. 30, etc. (EPP)
Local Counsel: Alan Rashkind, Furniss, Davis, Rashkind and
Saunders
Nominated Counsel: Michael M. Buchman, Motley Rice LLC; Marvin
A. Miller, Miller Law LLC

The Uniformed Firefighters' Association of Greater New York
(EPP)
The Retired Firefighters' Security Benefit Fund, etc. (EPP)
Local Counsel: Alan Rashkind
Nominated Counsel: Michael M. Buchman, Motley Rice LLC; Miller
Law LLC

Self Insured Schools of California (EPP)
Local Counsel: Conrad M. Shumadine, Willcox & Savage, P.C.
Nominated Counsel: Joseph R. Saveri, The Joseph R. Saveri Law
Firm, Inc.

Plaintiffs, continued:

UFCW Local 1500 Welfare Fund (EPP)

Local Counsel: Susan Podolsky

Nominated Counsel: Gregory S. Asciolla, Labaton Sucharow LLP

Sergeants Benevolent Assoc., etc. (EPP)

Fraternal Order of Police, Miami Lodge (EPP)

International Union of Operating Engineers, etc. (EPP)

Wisconsin Masons' Health Care Fund (EPP)

St. Paul Electrical Workers' Health Plan (EPP)

Philadelphia Federation of Teachers, etc. (EPP)

Law Enforcement Health Benefits Inc. (EPP)

Turlock Irrigation District (EPP)

Local Counsel: Wyatt B. Durette Jr., Durette, Arkema Gerson & Gill P.C.

Nominated Counsel: Dena C. Sharp, Girard Gibbs LLP

Defendants:

Merck & Co., Inc. (Merck)

Merck Sharp & Dohme Corp. (Merck)

Schering-Plough Corp. (Merck)

Schering Corp. (Merck)

MSP Singapore Co. LLC (Merck)

Local Counsel: Stephen E. Noona, Kaufman & Canoles, P.C.

Nominated Counsel: Samuel G. Liversidge, Gibson, Dunn & Crutcher LLP

Glenmark Pharmaceuticals, Ltd. (Glenmark)

Glenmark Generics Inc., USA (Glenmark)

Local Counsel: Teri Diaz, Morgan Lewis & Bockius LLP

Nominated Counsel: Steven A. Reed, Morgan, Lewis U& Bockius LLP

Par Pharmaceutical, Inc. (Par)

Local Counsel: Kathryn Mims, White & Case LLP

Nominated Counsel: Eric Grannon, White & Case LLP